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NBC finds formula for fighting piracy

Posted by Greg Sandoval

NEW YORK--The days when anyone, anywhere could post a funny clip from *Saturday Night Live* or *The Office* on to YouTube and share them with millions of appreciative viewers are quickly disappearing.

Executives at NBC Universal say they have found a "template" for protecting videos from online piracy. By the looks of things, they might be right.

"The ability to access and download infringing content has been trivially simple and the lesson it teaches people is that if it's that easy it can't be wrong."

--Rick Cotton, NBC general counsel

The company is seeing unprecedented success at removing unauthorized videos posted to the Web and cited last month's Olympic Games and the recent SNL skit with actress Tina Fey as proof. More than 99 percent of all the Internet video views of the Olympic Games in Beijing were watched on NBC.com or NBCOlympics.com as opposed to on the likes of YouTube or Dailymotion, according to Rick Cotton, NBC's general counsel.

Fey's impersonation of Republican vice presidential hopeful Sarah Palin was a smash hit. Within minutes of NBC's airing of the show, attempts were made to post copies of the show to YouTube. It's unclear, however, whether any of the full-length copies of the skit actually made it on to YouTube. All that is certain is that some clips of TV news coverage of the skit, featuring only snippets from the show, were available.

Whether this is the end of video sharing as we know it--where any member of the public could distribute clips of professionally made TV shows--remains to be seen. But big media companies have been waiting for any kind of technological breakthrough in copyright protection and have always said that the lack of one would stymie efforts to make money from Web video.

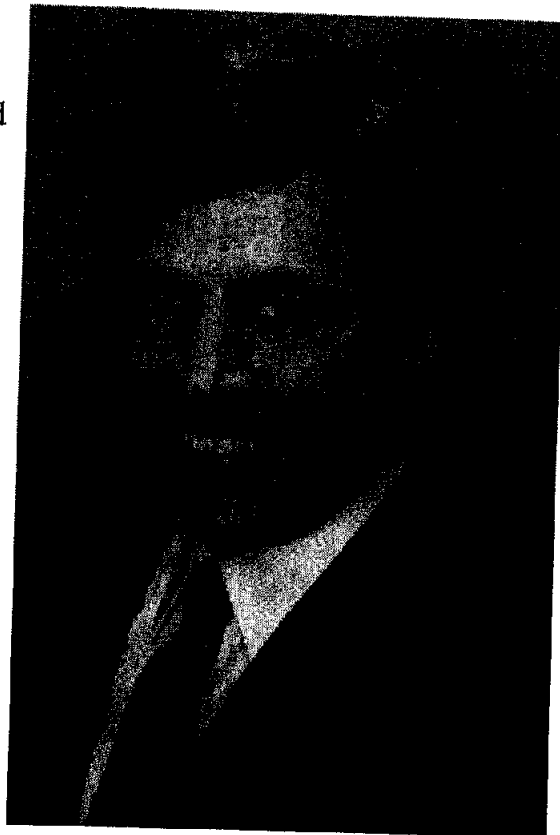
"What has happened up to now is the ability to access and download infringing content has been trivially simple, and the lesson it teaches people is that if it's that easy it can't be

wrong," Cotton said.

According to Cotton, at the forefront of NBC's success at fighting piracy is technology. Many in the tech community had told NBC that trying to block digital content from being swapped online was a waste of time, he said.

"Historically, there was a period where the conversation focused on the capability of technology to provide wondrous new access and wondrous new distribution," Cotton said Monday in an interview with CNET News. "In that old conversation technology's capability to define the rules of the road was dismissed, I would say by self-interested voices. But technology has an enormous amount to contribute in setting rules of the road."

The ability of YouTube, Dailymotion, Veoh, and Microsoft's Soapbox to track unauthorized clips and automatically remove them is the game changer, according to Cotton. Executives from some of the big entertainment companies have been critical in the past of YouTube's efforts to protect copyright material, but now they say YouTube's filtering and take-down systems **have dramatically improved.**



Rick Cotton, NBC's general counsel
(Credit: NBC Universal)

Cotton said that YouTube and competing video sites have the ability to pull an unauthorized video very soon after posted. It's important to note that not every copyright owner wants his or her work removed. Some give YouTube permission **to place advertisements** near unauthorized copies of their work so they can share in the ad revenue generated from it.

Another part of NBC's approach calls for government intervention. In the case of the Olympics, NBC worked with Chinese authorities to help thwart piracy on Chinese video-sharing sites.

Better non-infringing alternatives

And yet another part of NBC's antipiracy efforts focuses on offering the public an attractive alternative to copyright infringement. NBC has been promoting its own Web site as well as Hulu, the video portal that NBC launched in partnership with News Corp., as places to find full-length TV shows and movies in higher quality video than at YouTube.

As an example of how the public is catching on, Cotton said when fans found notices at YouTube that the Fey skit had been removed, they went looking for clips at NBC.com. The video was watched more than 7 million times at NBC.com in the week following its broadcast. This doesn't even take into consideration the views it received at Hulu, which doesn't disclose such numbers.

"Technology has to teach," Cotton said.

"What people learned very quickly was what would stay up at YouTube were still photos of the (events at the Olympics)," Cotton added. "They could find photo galleries at YouTube and for video they went to NBCOlympics.com."

To some, this could signal that NBC is ready to return its content to YouTube. In talking to Cotton and other executives at the company, however, I don't get the sense that they believe they need YouTube to promote its shows. The company now has multiple distribution points in which to market its content, including Yahoo and MSN, as well as on its own broadcast channels.

The idea seems to be to get people accustomed to going to Hulu or NBC.com for full-length shows.

Meanwhile, YouTube has been convincing some in Hollywood that the site is a great place to promote content.

YouTube is also working with studios and TV broadcasters to create original content exclusively for YouTube, sources familiar with the company's plans told me.

NBC execs say the company will continue to work together with YouTube to scrub the site of unauthorized clips, which is a much different approach than the one chosen by Viacom. The conglomerate filed a \$1 billion suit against Google's YouTube last year.

"It's has been an evolution. We have done this without a great deal of friction," said Cotton, who added that copyright owners need to work hand-in-hand with video-sharing

sites. "This can't work on a casual basis. It has to have the support of the entire ecosystem."



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